

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA

v.

MATTHEW TUNSTALL

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CAUSE NO. 1:21-CR-00223-LY

**DEFENDANT'S SUPPLEMENTAL SENTENCING MATERIALS**

TO THE HONORABLE LEE YEAKEL, UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS:

Counsel advises the Court of the following additional 18 USC § 3553(a)(6) information:

1. **United States v. William Tierney, 18-CR-804-1 (S.D.N.Y.)** was sentenced to **24 months** in prison.<sup>1</sup> Tierney “was sentenced for . . . conspiring to defraud tens of thousands of victims of more than \$1 million in connection with political action committees falsely purporting to support causes including autism awareness, law enforcement support, and the pro-life movement.” He was ordered to pay \$1,175,417.23 in restitution and \$410,649.18 in forfeiture.

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<sup>1</sup> U.S. Department of Justice Press Release (March 15, 2019) (online at <https://www.justice.gov/usao-sdny/pr/fraudulent-political-action-committee-operator-sentenced-two-years-prison>).

**2. United States v. Harold Taub, 19-CR-015 (D.R.I.)<sup>2</sup>** was sentenced to **36 months** in prison. “Of the more than \$1.6 million in contributions to KAIRC and KOIRC, Taub used more than \$1 million for purely personal expenses.” *Id.* “Taub was also ordered to pay \$1,102,439 in restitution to the victims of his crimes.” *Id.*

**3. United States v. Kyle Prall, 19-CR-013 (W.D. Tex.)<sup>3</sup>** was sentenced to **36 months**. Prall’s offense involved more than 4004 donors and \$548,428 in donations.

**4. United States v. Kelly Rogers, 19-CR-0270 (E.D.VA)<sup>4</sup>** was sentenced to **36 months** in prison. Rogers was sentenced “for fraudulently soliciting hundreds of thousands of dollars in political contributions through several scam political action committees that he founded and advertised as supporting candidates for office and other political causes.” The loss was \$974,648, but Rogers was alleged to have raised “more than \$20 million”<sup>5</sup> through PACs. He was forced to forfeit \$208,954 and pay \$491,299 in restitution.

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<sup>2</sup> U.S. Department of Justice Press Release (July 24, 2019) (online at <https://www.justice.gov/usao-ri/pr/former-candidate-sentenced-fraud-and-campaign-finance>).

<sup>3</sup> U.S. Department of Justice Press Release (Oct. 29, 2019) (online at <https://www.justice.gov/opa/pr/texas-man-sentenced-prison-fraudulent-scheme-solicit-hundreds-thousands-dollars-contributions>).

<sup>4</sup> U.S. Department of Justice Press Release, “Maryland Man Sentenced to Prison for Fraudulent Scheme to Solicit Hundreds of Thousands of Dollars in Contributions to Scam-Pacs” (1/17/20) available at <https://www.justice.gov/opa/pr/maryland-man-sentenced-prison-fraudulent-scheme-solicit-hundreds-thousands-dollars>.

<sup>5</sup> According to news outlets, Mr. Rogers’ PACs raised more than \$20 million over the course of his schemes. See “Political fundraiser gets 3-year prison sentence for fraud,” Politico, available at <https://www.politico.com/news/2020/01/17/kelley-rogers-fraud-prison-100715>.

5. **United States v. James Kyle Bell, 21-CR-00284 (D.DC),**<sup>6</sup> was sentenced to **46 months** for receiving \$346,000 in fraudulent campaign donations and \$1.6 million in fraudulent PPP loans. “Bell diverted almost all of the funds from PAC donors and the taxpayer-supported PPP loans to bank accounts where they could be used for Bell’s personal benefit.” Bell’s loss was \$1.946mm. His personal profit appears to be \$862,000.

Respectfully submitted,

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By: /s/ Worth D. Carroll

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**ATTORNEY FOR DEFENDANT**  
**MATTHEW NELSON TUNSTALL**

**CERTIFICATE OF SERVICE**

By my signature below, I do hereby certify that on the 19<sup>th</sup> day of April, 2023, a true and correct copy of the foregoing document was served on the government via electronic mail.

/s/ Worth D. Carroll  
Worth D. Carroll

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<sup>6</sup> U.S. Department of Justice, Press Release, “Nevada Man Sentenced to 46 Months in Prison for Scams Involving Election Fundraising and COVID Relief Loans Defendant Used Web of Fake PACs and Sham Companies to Cheat Donors and Taxpayers” (12/06/2021) available at <https://www.justice.gov/usao-dc/pr/nevada-man-sentenced-46-months-prison-scams-involving-election-fundraising-and-covid>.